

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

v.

24-MC-6

\$36,995.00 UNITED STATES CURRENCY SEIZED  
FROM JP MORGAN CHASE BANK, N.A.,  
ACCOUNT NO. 963800336,

\$9,905.00 UNITED STATES CURRENCY SEIZED  
FROM JP MORGAN CHASE BANK, N.A.,  
ACCOUNT NO. 937837521,

Defendant *in rem*.

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**AGREEMENT TO EXTEND THE FILING DEADLINE**

1. The United States and Claimant Adriana Jones (“Claimant”), one of the plaintiffs in the civil action in *Miller, et al. v. Juarez Cartel*, United States District Court for the District of North Dakota Civil Action No 1:20-cv-132, agree to extend the deadline for the United States to file judicial forfeiture proceedings against the assets discussed below.

2. Claimant filed more than 1,200 claims in nonjudicial civil forfeiture proceedings initiated by the Drug Enforcement Administration (“DEA”) and Customs and Border Protection (“CBP”).<sup>1</sup> The claims that relate to assets potentially subject to judicial forfeiture in the Western District of New York are identified in Exhibit 1 (“the properties”). Claimant intends this agreement to apply to all claims filed by Claimant, even if the property is omitted from Exhibit 1.

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<sup>1</sup> The other plaintiffs in *Howard Miller, et al. v. Juarez Cartel* intended to file claims in the DEA and CBP nonjudicial forfeiture proceedings. Since DEA and CBP determined that Claimant was the only plaintiff who filed a timely, valid claim, only her consent is necessary to extend the deadline set out in Title 18, United States Code, Section 983(a)(3)(A).

3. DEA and CBP have referred or are in the process of referring the claims to United States Attorney's Offices.

4. Under Title 18, United States Code, Section 983(a)(3)(A) and (B), the United States has 90 days from its receipt of a claim in a nonjudicial forfeiture proceeding to initiate a judicial forfeiture proceeding against the properties. This deadline is known as the CAFRA deadline.

5. On November 15, 2023, Claimant agreed to extend to February 29, 2024 the CAFRA deadline for those properties that would otherwise have an earlier CAFRA deadline.

6. On December 29, 2023, Claimant filed additional claims against the remaining properties. Those assets have a March 29, 2024, CAFRA deadline.

7. As provided in Title 18, United States Code, Section 983(a)(3)(A), Claimant and the United States have agreed to extend the time within which the United States may file a judicial action for forfeiture against the properties to give the parties sufficient time to try to resolve these matters.

8. Claimant knowingly, intelligently, and voluntarily gives up any right she may have under Title 18, United States Code, Section 983(a)(3)(A)-(B) to require the United States to file a judicial forfeiture against the properties covered by this agreement on or before the deadline referenced in paragraphs 5 and 6 and any right that she may have to seek dismissal of any civil judicial complaint on the ground that it was not timely filed.

9. Claimant and the United States agree, that in the event Claimant seeks to file an amended claim, the United States will not argue that the amended claim is untimely during the course of the agreed extension. Claimant and the United States further agree, that in the event that Claimant does file an amended claim, and the amended claim filed by Claimant is

co-signed by, and submitted on behalf of, all plaintiffs in *Howard Miller, et al. v. Juarez Cartel*, the United States will not argue that the amended claim of all plaintiffs is untimely during the course of the agreed extension.

10. Claimant has consulted with counsel for the *Miller* plaintiffs, Michael Elsner of Motley Rice and Samuel Mitchel of Mitchell & Mitchell, and counsel has authorized Claimant to represent that counsel also consents to this extension of time.

11. Claimant and the United States agree to extend the deadline by which the United States may timely file a judicial forfeiture against the properties until April 30, 2024. In the event the April 30, 2024, deadline is not met, Claimant and the United States agree that Claimant may assert any rights right she may have under Title 18, United States Code, Section 983(a)(3)(A)-(B) to require the United States to file a judicial forfeiture against the properties covered by this agreement.

2/22/2024 *Adriana Jones*  
Date ADRIANA JONES

□

**UNITED STATES OF AMERICA**

Dated: March \_\_\_\_\_, 2024

TRINI E. ROSS  
United States Attorney

By: \_\_\_\_\_  
MARY CLARE KANE  
Assistant United States Attorney  
138 Delaware Avenue  
Buffalo, New York 14202  
(716) 843-5809  
mary.kane@usdoj.gov

WDNY Assets Subject to Extension of CAFRA Deadline by Miller Claimants	
Asset ID	Property Description
23-DEA-706173	JP Morgan Chase Bank, Acct. #963800336; VL: \$36,995.00
23-DEA-706174	JP Morgan Chase Bank, Checking Acct. #937837521; VL: \$9,905.60